

Notice of Allowability

Application No.

10/519,929

Examiner

Jerry Martin Blevins

Applicant(s)

MAURIN, LAURENT

Art Unit

2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed July 10, 2006.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 3/25/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Brian Healy
Primary Examiner

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Aaron Fishman on September 7, 2006.

The application has been amended as follows:

In claim 6, line 2, before "wherein", insert --claim 1--.

Response to Arguments

Applicant's arguments, see pages 6-8, filed July 10, 2006, with respect to claims 1-10 have been fully considered and are persuasive. The rejection of claims 1-10 has been withdrawn.

Applicant's arguments, see page 6, filed July 10, 2006, with respect to claims 5-10 have been fully considered and are persuasive. The objection of claims 5-10 has been withdrawn.

Allowable Subject Matter

Claims 1-10 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the prior art, as best exemplified by US Patent 4,848,870 to Wisecarver, teaches an assembly (Figures 1 and 2) comprising a clamping device (made up of jaws 2) and a fiber (17,18) held by the device and comprising a rigid and brittle core (column 2, lines 53-65 teach that the core is made of glass) surrounded by a cladding (column 2, lines 53-65), the clamping device comprising several jaws (2) distributed around a main axis (signified by main arrows in Figure 1 and to location of fibers in Figure 2) of this device and occupying a clamped position (Figure 2), each jaw comprising an inner surface (8) composed of a central portion (all of the inner surface except end portions 12) and two end portions (12), the end portions being made so as to prolong the central portion by gradually moving away from the main axis of the device (column 2, line 66 – column 3, line 14), wherein a section of the inner surfaces of any plane perpendicular to the main axis of the device is a closed line (column 2, lines 43-52 and column 2, line 66 – column 3, line 14), and wherein only a part of each end portion is in contact with the cladding of the fiber (Figure 2). Wisecarver does not teach that the cladding is mechanically deformable. US Patent 5,002,359 to Sayegh teaches a glass fiber core coated with a mechanically deformable cladding (column 4, lines 16-23 teach a polyimide protective cladding). It would have been obvious to one of ordinary skill in the art to modify the fiber of Wisecarver with the mechanically deformable cladding of Sayegh. The motivation would have been to improve protection of the fiber, since a mechanically deformable cladding would be able to withstand mechanical stress applied to the fiber. However, Wisecarver, either alone or in combination with Sayegh, does not

Art Unit: 2883

disclose or render obvious that the clamping device resists a tension force having a value exceeding 5 N exerted along a longitudinal axis of the fiber.

Claims 2-10 are allowed based on their dependence from allowed base claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry Martin Blevins whose telephone number is 571-272-8581. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Brian Healy
Primary Examiner

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMB